IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

WP(C).No. 11504 of 2007(T)

PETITIONERS:
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1. **P.V. POULOSE , S/O.VAREED,**
   PARACKAL HOUSE, MEKKADU P.O.,
   NEDUMBASERY,ERNAKULAM DISTRICT.

2. **M.S.BAIJU, S/O.SIDHARTHAN,**
   MANGADATHU HOUSE, ERAYAMKUDI P.O.,
   THRISSUR DISTRICT.

3. **P.A.TOMI, S/O.ANTHONY,**
   PALAMATTATHU HOUSE, ELAVUR P.O.,
   ANGAMALY.

4. **P.K.SASI, PUNNELY HOUSE,**
   AVANAMKODU, CHOVVARA P.O.,
   ERNAKULAM DISTRICT.

BY ADV. SRI.T.KRISHNAN UNNI
SRI.VINOD RAVINDRANATH

RESPONDENTS:
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1. **THE SUPERINTENDENT OF POLICE ,**
   THRISSUR DISTRICT, POST THRISSUR.

2. **CIRCLE INSPECTOR OF POLICE,**
   CHALAKKUDY,THRISSUR DISTRICT.

3. **DEVADAS MASTER, S/O.RAVI,**
   KADAKKAVATTATH HOUSE,
   PADINJARE MALA, ARAYAMKUDY,
   KORATTI,THRISSUR DISTRICT.

4. BAIJU, S/O.BAVA,
AYYARIL HOUSE, ARAYAMKUDY,
KORATTI,THRISSUR DISTRICT.

5. MATHACHAN, CHERMAKERI,
ARAYAMKUDY, KORATTI,THRISSUR DISRICT.

6. RAJI, S/O.VARGHESE,
CHEEROTHI,ARAYAMKUDY,
KORATTI,THRISSUR DISRICT.

7. HARI, S/O.RAJAPPAN,
VARIKKAD,ARAYAMKUDY,
KORATTI,THRISSUR DISRICT.

8. NIRMAL, S/O.CHACKO,
PAKKADAN HOUSE,ARAYAMKUDY,
KORATTI,THRISSUR DISRICT.

9. STATE OF KERALA, REPRESENTED BY
SECRETARY, DEPARTMENT OF HOME, GOVERNMENT
SECRETRIAT,THIRUVANANTHAPURAM.

ADDL.R10 AND R11:

10.REVENUE DIVISIONAL OFFICER, CIVIL STATION,
THRISSUR.

11.GEOLOGIST, DEPARTMENT OF MINING AND GEOLOGY,
THRISSUR.

ADDL.R10 AND R11 ARE IMPLEADED AS PER ORDER IN I.A.5309/2007 DATED 12.4.2007.

BY ADV. SRI.P.JACOB P. VARGHESE FOR R3 TO R8
SRI.V.MANOJ KUMAR
SRI.VARUGHESE M EASO
SRI.VIVEK VARGHESE P.J.
GOVT.PLEADER SRI.P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C).11504/2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE LICENSE ISSUED BY THE ANNAMANADA GRAMA PANCHAYATH IN FAVOUR OF THE 1ST PETITIONER DATED 15.12.2006.

EXT.P2: COPY OF THE LICENSE ISSUED BY THE ANNAMANADA GRAMA PANCHAYATH TO THE 2ND PETITIONER DATED 6.10.2006.

EXT.P3: COPY OF THE LICENSE ISSUED BY THE ANNAMANADA GRAMA PANCHAYATH TO THE 3RD PETITIONER DATED 15.12.2006.

EXT.P4: COPY OF THE LICENSE ISSUED BY PARAKKADAVU GRAMA PANCHAYATH TO THE 4TH PETITIONER DATED 2.8.2006.

EXT.P5: COPY OF THE APPLICATION FILED BY THE PETITIONERS AND OTHERS DATED 21.3.2007 ALONG WITH THE ORDERS PASSED THEREON.

EXT.P6: COPY OF THE ORDER ISSUED BY GEOLOGISTS, THRISSUR IN FAVOUR OF THE 1ST PETITIONERS DATED 26.3.2007.

EXT.P7: COPY OF THE ORDER ISSUED BY GEOLOGISTS, THRISSUR IN FAVOUR OF THE 2ND PETITIONER DATED 26.3.2007.

EXT.P8: COPY OF THE ORDER ISSUED BY GEOLOGISTS, THRISSUR IN FAVOUR OF THE 3RD PETITIONER DATED 26.3.2007.

EXT.P9: COPY OF THE ORDER ISSUED BY GEOLOGISTS, THRISSUR IN FAVOUR OF THE 4TH PETITIONER DATED 26.3.2007.

EXT.P10: COPY OF the COMPLAINT FILED BY THE PETITIONER BEFORE THE 1ST RESPONDENT DATED 28.3.2007.

EXT.P11: COPY OF the RECEIPT ISSUED BY THE 2ND RESPONDENT DATED 30.3.2007.

RESPONDENTS EXHIBITS:

EXT.R1(A): COPY OF REPRESENTATION.

EXT.R1(B): COPY OF JUDGMENT OF THIS HON'BLE COURT DISPOSING OF O.P.2725/97 DATED 14.12.1998.

EXT.R1(C): COPY OF ORDER DATED 2.4.07 ISSUED BY DEPT. OF MINING AND GEOLOGY.

EXT.R1(D): COPY OF NOTICE ISSUED BY GEOLOGIST DATED 2.4.07.

/TRUE COPY/

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C).NO.11504 OF 2007 (T)

Dated this the 12th day of April, 2007

J U D G M E N T

KOSHY,J.

Since the permit granted was temporarily stayed by the Geologist, this writ petition is disposed of without prejudice to the right of petitioners in filing objections and approaching the police for protection after stay is vacated.

J.B.KOSHY, JUDGE

T.R.RAMACHANDRAN NAIR, JUDGE

prp

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

O.P.NO. OF 2006 ()

J U D G M E N T

1th January, 2007